

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

AARON MCNEIL, *et al.*,

Plaintiffs,

VS.

WELLS FARGO BANK, N.A.,

Defendant.

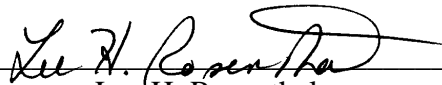
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CIVIL ACTION NO. H-11-1400

ORDER

The plaintiffs' Motion to Include Los Angeles in Random Sampling of Wells Fargo Branches, (Docket Entry No. 16), is denied. Sampling Wells Fargo branches from Chicago suburbs meets the goal of sampling branches from diverse geographic areas. Contrary to the plaintiffs' argument, there is no evidence that Wells Fargo has manipulated the choice of Chicago-area branches. Wells Fargo's website confirms that the eight branches selected by Wells Fargo were not "handpicked" by Wells Fargo. Instead, they are the branches closest to Chicago. Wells Fargo has offered to expand the selection of Chicago-area branches at the plaintiffs' option, and there is no indication that Wells Fargo will "handpick" the additional branches. Substituting Los Angeles for Chicago would unnecessarily delay the proceedings without proper justification.

SIGNED on January 26, 2012, at Houston, Texas.



Lee H. Rosenthal
United States District Judge